



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

ISAACS v. ISAACS et al.,

Nov. 20, 1913.

[79 S. E. 1072.]

Divorce (§ 256*)—Decree for Alimony—Lien of Decree.—Where a wife was given a decree of divorce from bed and board, with an award of a specified monthly sum as permanent alimony, and decreeing a lien on the husband's lands therefor, as well as for the unpaid temporary alimony formerly granted and for counsel fees and costs, such lien cannot be affected by a decree of absolute divorce rendered in another state in favor of the husband, even though the foreign court had jurisdiction of the parties.

[Ed. Note.—For other cases, see Divorce, Cent. Dig. §§ 725, 726; Dec. Dig. § 256.* 1 Va.-W. Va. Enc. Dig. 297; 14 Va.-W. Va. Enc. Dig. 39; 15 Va.-W. Va. Enc. Dig. 37.]

Appeal from Circuit Court, Russell County.

Suit by S. F. Isaacs, as guardian, against G. G. Isaacs, in which Minnie L. Isaacs, who was made a party defendant, filed a cross-bill against S. F. Isaacs and others. From a judgment for complainant, defendants appeal. Reversed.

Vicars & Peery, of Wise, and *W. W. Bird* and *Routh & Routh*, all of Lebanon, for appellants.

Finney & Wilson, for appellee.

DENNIS v. JUSTUS et al.

Nov. 20, 1913.

[79 S. E. 1077.]

1. Equity (§ 226*)—Pleading—Objections to Bill—Multifariousness.—The court should dismiss a bill for multifariousness on its own motion, though not objected to on that ground by defendant, so that it was immaterial that an objection of multifariousness was made by only one of defendants.

[Ed. Note.—For other cases, see Equity, Cent. Dig. § 504; Dec. Dig. § 226.* 10 Va.-W. Va. Enc. Dig. 144; 14 Va.-W. Va. Enc. Dig. 743; 15 Va.-W. Va. Enc. Dig. 707.]

2. Equity (§ 148*)—Bill—"Multifariousness."—"Multifariousness" in a bill means the improper joining therein of distinct and independent matters, as the union of several unconnected matters against one defendant or the demand of several distinct and independent matters against several defendants.

[Ed. Note.—For other cases, see Equity, Cent. Dig. §§ 341-367;

*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexes.

Dec. Dig. § 148.* 10 Va.-W. Va. Enc. Dig. 131; 14 Va.-W. Va. Enc. Dig. 743; 15 Va.-W. Va. Enc. Dig. 707.]

For other definitions, see Words and Phrases, vol. 5, pp. 4616-4618.]

3. Equity (§ 148*)—Bill—Multifariousness—Independent Claims.—The bill alleged that B. owned a 60-acre tract which he conveyed to the predecessor in title of complainant's father from whom complainant ultimately derived title by a deed recorded prior to January 1, 1901, and that the land was improperly assessed for taxes against complainant's father for the year 1901 and was sold for taxes claimed to be due from the father, and that defendant lumber company became the purchaser under a tax deed made by the clerk. The bill further alleged that defendant D. on September 18, 1908, filed an ex parte petition under the statute providing for proving recorded papers before a commissioner, to set up title in himself to the 60 acres under a deed from B. and, by intermediate conveyances, to defendant D. by conveyance dated June 23, 1903, and that none of such deeds were intended to include the 60-acre tract owned by complainant, and the prayer was that the lumber company, defendant D., and others be made parties defendant and a decree entered declaring the tax deed to the lumber company void, and an order entered restraining defendant D. from proceeding further in his petition before the commissioner. Held, that the bill was demurrable as multifarious, as joining distinct claims against several defendants.

[Ed. Note.—For other cases, see Equity, Cent. Dig. §§ 341-367; Dec. Dig. § 148.* 10 Va.-W. Va. Enc. Dig. 133; 14 Va.-W. Va. Enc. Dig. 743; 15 Va.-W. Va. Enc. Dig. 707.]

Appeal from Circuit Court, Buchanan County.

Suits by one Justus and others against W. L. Dennis and against the W. M. Ritter Lumber Company. Decree for complainant, and defendants appeal. Reversed.

S. M. B. Coulling, of Tazewell, *M. O. Litz*, of Welch, and *J. W. Flannagan, Jr.*, of Grundy, for appellants.

Chase & Daugherty and *A. A. Skeen*, all of Clintwood, for appellees.

BOWMAN *v.* FIRST NAT. BANK OF BROADWAY.

Nov. 20, 1913.

[80 S. E. 95.]

1. Action (§ 40*)—Causes of Action—Joinder—Indorser and Guarantor of Note.—Under the rule that demands against the same party may be joined when they are all of the same nature and the same

*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexes.